

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

September 6, 2007

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday September 6, 2007.

MEMBERS PRESENT

Rick Hessig, Chairman
Roger McDonald
Jim Ringo
Mike Ober

OCCUPATIONS & PROFESSIONS STAFF

Adriana Lang, Board Administrator
Wendy Satterly, Division Supervisor
Claude Wagner, Division Director

OTHERS PRESENT

Diane Fleming, Attorney
Gary Tinker

CALL TO ORDER

The Chairman, Mr. Rick Hessig, called the meeting to order at 1: 07 p.m.

APPROVAL OF MINUTES

The minutes of the August 2, 2007 meeting was called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes as amended, the motion seconded by Mr. Mike Ober, carried.

The minutes of the August 15, 2007 special meeting was called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes as amended, the motion seconded by Mr. Mike Ober, carried.

FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating a balance of \$86,500.95 from July 1, 2007 to July 31, 2007. A motion was made by Mr. Jim Ringo to accept the Financial Statement. Motion, seconded by Mr. Mike Ober, carried.

Mr. Claude Wagner informed the Board that he is working with the fiscal section on changing the format of the Financial Statement for a more detailed format. Mr. Jim Ringo questioned about the Workers Comp deduction. Mr. Wagner stated that Workers Comp deduction has always been part of the Financial Statement but it didn't show up on the past format.

COMPLAINT COMMITTEE

07-001- Deferred.

Mr. Roger McDonald made a motion to authorize the Kentucky Bureau of Investigation (KBI) to open an Investigation on the complaint number 07-001. The motion, seconded by Mr. Jim Ringo, carried.

LICENSURE STATUS

The Board reviewed the Licensure Report of September 6, 2007.

ATTORNEY REPORT- LEGAL MATTERS

Ms. Diane Fleming informed the Board that she is working with Mr. Rick Hessig on the draft of the injunction for Whitehall Bureau and Brian Finney, and that she would file the injunction before the next Board meeting.

Ms. Diane Fleming presented the draft of the 201 KAR 41:040 Fees. Mr. Roger McDonald made a motion to approve and file the draft of the 201 KAR 41:040. The Motion, seconded by Mr. Jim Ringo, carried.

Ms. Diane Fleming presented the draft of the 201 KAR 41:070 Continuing Professional Education. Mr. Roger McDonald Made a motion to approve and file the draft of the 201 KAR 41:070. The Motion, seconded by Mr. Jim Ringo, carried.

ATTORNEY REPORT- LEGAL MATTERS CONTINUED

Ms. Diane Fleming presented the draft of the 201 KAR 41:___ Inactive Status. Mr. Roger McDonald made a motion to approve and file the draft of the 201 KAR 41:___ . The Motion, seconded by Mr. Jim Ringo, carried.

Ms. Diane Fleming informed the Board that an e-mail was sent to Mr. Ryan Halloran, requesting an update on the letters to Barbara Payton, George Nemecek, Diane Patterson and Michael Kessler. And that she hasn't received a response from Mr. Halloran. Ms. Fleming stated that she was going to follow up with Mr. Halloran and bring an update to the next scheduled meeting.

Ms. Diane Fleming asked the Board for clarification on the language for Mr. Rodney Brock's letter. The Board requested Ms. Fleming to send a letter to Mr. Brock asking him for clarification on the Inspectaclaim company owner status, request him to respond before the next Board meeting, and to address his request to place his Private Investigator licenses in an inactive status.

Ms. Diane Fleming informed the Board that the Attorney General's Opinion of the Bona Fide Employees of an Attorney is complete. Ms. Fleming stated that she would forward a copy of that opinion to the Board for a review. The Board requested Mr. Mike Ober to draft a letter regarding the Bona Fide Employees of an attorney to be placed on the Board's website. Mr. Ober stated that he would draft the letter and bring it to the Board a review on the next Board meeting.

Ms. Diane Fleming provided the Board an update on the ongoing hearings for the licensees that failed to provide proof of insurance and to respond to the Board's correspondences.

DIRECTOR'S REPORT

Mr. Claude Wagner informed the Board that he mailed a letter to the Kentucky Society of Professional Investigators (KSPI) on behalf of the Board. Mr. Wagner presented the Board a copy of the KSPI online Directors information and advised that the association is still active.

Mr. Wagner informed the Board that he had communicated with Regina Crawford regarding the Board members appointment issue.

OLD BUSINESS

The Board reviewed the license requirements for the applicants from Tennessee seeking reciprocity. The Board agreed that based on the Reciprocal Agreement in between Kentucky and Tennessee, a Private Investigator seeking reciprocity, whom hold an active Private Investigator license in Tennessee for two (2) consecutive years and reside in Tennessee, will not be required to provide background checks or take the Kentucky exam.

Mr. Roger McDonal made a motion to authorize the Board Administrator to deny Private Investigator applicants that fails to take the PI exam within 60 days pursuant to 201 KAR 41:030 (4). The motion, seconded by Mr. Mike Ober, carried.

NEW BUSINESS

The Board reviewed an e-mail from Mr. Rodney Brock regarding the inactive status. The Board requested Ms. Diane Fleming to send a letter to Mr. Brock in response.

The Board Reviewed correspondence from Ms. Rebecca Turner regarding the inactive status. Mr. Mike Ober made a motion to approve Ms. Turner request, under the circumstances, to place her PI license to an inactive status. The motion, seconded by Jim Ringo, carried.

The Board reviewed correspondence from the International Association of Security & Investigative Regulators (IASIR) regarding their annual conference. Mr. Mike Ober made a motion to approve travel for the Board members that are able to attend the conference. The motion, seconded by Mr. Roger McDonald, carried.

NEW BUSINESS CONTINUED

The Board reviewed an e-mail from Ms. Pamela Pringle regarding the license requirements for a debt collection professional. The Board requested their Administrator to send a letter to Ms. Pringle stating that a debtor collector is required to apply for a Private Investigator license in the Commonwealth of Kentucky.

APPLICATION REVIEW COMMITTEE

The Chairman, Mr. Rick Hessig, gave the following report from the Application Review Committee. The Board accepted Mr. Hessig report as follows:

INDIVIDUAL APPROVED RECIPROCAL: *Gary Haun and James Laster.*

INDIVIDUALS APPROVED WITH PROVISIONS: *Scott Bartucca, Stephen Connolly, Charles Edge, Howard Lagomarsiano, Michael Scanlan, Jeffrey Spaulding and Susan Spaulding.*

COMPANY APPROVED WITH PROVISIONS: *Cheaters Detective Agency of Louisville DBA Kyana Surveillance Specialists and Federated Investigations Service, Corp.*

The Board deferred Cook Investigations to provide the requirements listed on the Board's letter dated August 24, 2007. The Board requested their attorney, Ms. Diane Fleming, to send a letter advising him of his company application status to Mr. Gregory Cook.

INDIVIDUAL DENIED: *James Enos and Robert Wilson.*

RENEWALS: The Board reviewed and deferred Mr. Carter Orwig. The Board requested staff members to send a letter to Mr. Orwig requesting him to provide a copy of his driver's license.

TRAVEL AND PER DIEM

A motion was made by Mr. Jim Ringo to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Roger McDonald, carried.

ADJOURNMENT

The Chairman, Mr. Rick Hessig informed the Board that the next meeting is scheduled for Thursday, October 4, 2007, at 01:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Mike Ober to adjourn. Motion seconded by Mr. Jim Ringo, carried. The meeting adjourned at 3:30 p.m.

APPROVED